



Docket No.: 217318US0DIV

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 10/047,093
Applicants: Hiroshi KAYAKIRI, et al.
Filing Date: January 17, 2002
For: SULFONAMIDE COMPOUNDS AND
PHARMACEUTICAL USE THEREOF
Group Art Unit: 1625
Examiner: Bernard Dentz

SIR:

Attached hereto for filing are the following papers:

Election & Response to Restriction Requirement

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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DOCKET NO: 217318US0DIV



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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
HIROSHI KAYAKIRI, ET AL. : EXAMINER: BERNARD DENTZ
SERIAL NO: 10/047,093 :
FILED: JANUARY 17, 2002 : GROUP ART UNIT: 1625
FOR: SULFONAMIDE COMPOUNDS :
AND PHARMACEUTICAL USE :
THEREOF :

ELECTION & RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction Requirement mailed June 13, 2003, the Applicants elect with traverse Group III (as indicated in the written restriction requirement), claims 1-7 and 9-14, drawn to compounds with a ring system with just oxygen.

The Applicants traverse the restriction of Group II, which is drawn to compounds with a ring system with just sulfur.

The traversal is on the basis that the Office has not adequately established that Groups II and III are independent and distinct from one another. For instance, both oxygen and sulfur appear in the same group in the periodic table and would be expected to share some of the same chemical properties of elements within this group. Thus, the Applicants respectfully submit that no undue burden would be imposed on the Examiner in conducting an examination of Groups II and III together, because similar subject matter is encompassed by each group.

In view of the above remarks, the Applicants respectfully request that the Restriction Requirement be withdrawn and that Groups II and III be examined together.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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A handwritten signature in black ink, appearing to read "Thomas Cunningham", written in a cursive style.

Thomas M. Cunningham
Registration No. 45,394